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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000049

SIPDIS

FOR NEA/ELA MONZ AND EUR/ERA GIAQUE

E.O. 12958: DECL: 01/14/2019

TAGS: PREL EU SY

SUBJECT: DEMARCHE: SYRIA ASSOCIATION AGREEMENT TO BE  
DEBATED IN UPCOMING MEETINGS

REF: STATE 1985

Classified By: USEU Political Minister Counselor Chris Davis for reason  
s 1.5 (b) and (d)

¶1. (C) Ambassador delivered reftel demarche to Czech (EU presidency) PermRep Milena Vicenova January 13. In her discussion, Ambassador reviewed U.S. concerns about Syria's behavior, including assistance to Hezbollah and Hamas, lack of cooperation with the IAEA, the problem of foreign fighters transiting Syrian soil to Iraq, and Syria's failure to meet benchmarks set by the EU regarding Lebanon, including the exchange of ambassadors and demarcation of the border. She argued that, while it was acceptable to dangle carrots in front of Syria in order to encourage it, there was no evidence of change in Syrian behavior that would justify moving forward at this point. The U.S. urged the EU, therefore, not to go forward with approval of the Association Agreement initiated in December 2008. Vicenova said she understood all of the concerns raised, and promised to bring the issue up in her meeting with Czech Foreign Minister Topolanek the next day in Strasbourg.

¶2. (C) Deputy Political Counselor met separately January 14 with Marek Janovsky of the Czech Permanent Representation to review our concerns and discuss the issue in greater detail. Janovsky said he did not think, given the technical requirements and concerns among some member states, especially about the Lebanese elections, that the Agreement would be adopted under the Czech presidency (i.e., before June 30) but he also did not see it being blocked. The Agreement will be debated at a January 28 COMAG meeting in Brussels at the level of Assistant Secretaries of Middle Eastern Affairs coming from capitals and chaired by Ambassador Tomas Smetanka, the top Middle East official at the Czech mission in Brussels. The meeting will be a general political debate on relations with Syria and how the Agreement fits into those relations. The Czechs want to use the meeting to make sure they understand where member states are on moving forward, whether some will want to set specific conditionality, etc. Based on the results of this meeting, technical work at the level of the Mashrek-Magreb working group (i.e., mid-level diplomats from missions in Brussels) will go forward. This will parallel work at the European Commission to translate the agreement into all EU languages and have jurist-linguists ensure conformity. Janovsky said the Czechs want to keep the political and technical debates separate. The issue would then be put on the agenda for the GAERC, possibly in February or March.

¶3. (C) Both Janovsky and EU Council Syria desk officer Colin Scicluna, with whom Deputy Political Counselor met January 13 to deliver reftel demarche, saw the process as having slowed since the December initialing and the subsequent end of the

French presidency. Scicluna noted that the French had pushed hard to see the initialing occur under their presidency (even going so far as to agree to negotiate a text in English) but that several events, including those in Gaza and the simple fact of the change in presidency, meant "the foot is off the accelerator." Janovsky also suggested the Czechs were moving the process forward as required, but at a more measured pace.

He thought the upcoming elections in Lebanon in May might lead to a further slowing of the pace, if enough member states decided to wait and see how those turn out. He suggested the Agreement might not be fully implemented under the Czech presidency.

¶4. (C) There are two parts to the forward movement. If the issue is scheduled for discussion and approval at a GAERC meeting and the EU foreign ministers approve the document, it can be signed almost immediately and become provisionally effective immediately. This would mean that the trade aspects primarily of the document will take effect, but the political aspects, including association councils, summits, etc., will wait until full ratification. The EU Council's Scicluna explained that this can be a long process. It must be ratified by the EU Parliament (which goes out of session in May in preparation for elections) and then by all 27 member states. Nonetheless, important elements of the Agreement go into effect almost immediately.

¶5. (C) Comment: Both Janovsky and Scicluna emphasized that the EU shares our concerns as outlined in reftel demarche, but that most member states believe that engagement with Syria provides opportunities to press Syria on issues of concern and strengthens moderates within the government. We

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will follow up with the Czechs after the January 28 meeting.  
End Comment.

SILVERBERG

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